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evidence, and second the conditions of defining theories or the making of inferences. Under the conditions of taking evidence are discussed general considerations as to the integrity of witnesses, the correctness of testimony, the "egotism, laziness, and conceit," which, according to Professor Gross, are the "only human motives on which one may unconditionally depend"; the secrets which one cannot keep; the interests which one must arouse. But most interesting of all the early discussions is the section on phenomenology; the study of the outward expression of mental states, "the science of appearances," the significance of involuntary habitual actions, gesticulation, changes of color such as blushing and paling, are personal idiosyncrasies which are nevertheless common enough to generalize about.

In the sections on the "making of inferences" and "on knowledge," the author has endeavored to compress in the short space of eighty pages the gist of modern speculation along epistemological and logical lines with a certain amount of absolutely necessary historical background. The result is unsatisfactory to a degree. It is quite true that a criminologist who is also a student of human nature should be *en rapport* with modern studies in causation, analogy, probability, chance, inference, judgment, and the rest. It is quite true that he cannot give his life to the great mass of literature on these more academic subjects, but must depend on histories of philosophy and on digests for the conclusions which have an immediate bearing on criminal proceedings and law. The totally inadequate discussions in Gross's *Criminal Psychology* supply neither a history nor a digest and might with great profit be omitted.

The same general criticism might be applied to the sections on logical and metaphysical subjects in the second part under "mental activity of the examinee." The sections on Perception and Conception, the Intellectual Processes, the Association of Ideals, the Will and Emotion, are almost without value to the student with even a most superficial knowledge of modern logical and metaphysical studies, though they supply the general reader with a surprising fund of anecdote. The sections on Sense Perception, Recollection and Memory, and the forms of giving testimony, bearing more directly on the abnormal criminal mind, present a mass of information and observation from the author's personal experience. They are less burdened with excessive quotation and are stamped with a certain freshness of interest that the more technical sections lack.

ETHAN FROME. By EDITH WHARTON. New York: Charles Scribner's Sons, 1911.

It may be possible that intellect knows nothing of sex, but certain it is that whenever a woman assumes masculinity there is apt to be just that over-emphasis that betrays the assumption. This is simply by way of protest against the unnecessary intrusion of a masculine "I" as narrator of Mrs. Wharton's admirable story, *Ethan Frome*, for, as the well-told tale unfolds, a return to the omniscient third person is inevitable, so that we might as well have been spared the first person in the beginning. However, the excellence of Mrs. Wharton's work is such that no one should dare cavil, perhaps, at the author's mode of presentation, and this, her latest novel, is but one of many successes. In remote New Eng-

land hills, chiefly in winter, the scene of the story is laid; a brief love-idyll, a breath of warmth and spring upon the edge of biting cold and snow. For it is curious—part of the writer's delicate art, indeed—to note how the essential landscape of this story harmonizes with the nature of the tale itself; the prolonged cold, the grudging soil, the scantily rewarded labor, make up "the compulsions of poverty" that here mean so much, and all play their significant parts in a story of life—not as victory or defeat, but what is often more tragic than defeat, life as a drawn game, a baleful arrest.

There is a certain inexorableness about Mrs. Wharton, as if she herself were constitutionally opposed to happiness, as if she were somewhat compelled to interpret life in terms of pain. Hence her beautifully told but somber tales are so unrelieved, fate in them is so persistently adverse, that they are sometimes not quite convincing. For after all, what men account as Fate does sometimes smile, and pain is pain by contrast with joy. But this particular story of three people, Ethan Frome, his wife Zeena, and Mattie Silver, is so swift, direct, and inevitable that it commands belief. The man, Ethan Frome, an undeveloped idealist, marrying, not for love, but because of feminine proximity and an instinctive recoil from loneliness, then finding beside him his fitting counterpart; the mutual happiness so wan and brief, the swift end, and then the long twilight of that truest heroism—the heroism of endurance—this finely self-consistent story takes firm hold of mind and imagination. And it is told, of course, with all Mrs. Wharton's rare skill. The forcible right words, like apples of gold in frames of silver, are all here. The seeing and perceiving eye and the divining mind, with all their complexities of observation and penetration, have opened up for their fortunate possessor another field in which her hand seems as sure and certain as in the more urban life she usually portrays, and in the more sophisticated people she usually sets before us.

THE OUTCRY. By HENRY JAMES. New York: Charles Scribner's Sons, 1911.

"Admirable, admirable, and most admirable," must be the reader's gratified comment when, on the announcement of "The Prince," the curtain falls upon Mr. James's delightful comedy, "The Outcry." For while this, his latest work, is a novel in name—and domino, shall we say—the least brushing aside of its drapery will reveal it as a charming drama. The three books are in reality three acts, and the chapters are just so many rapidly moving scenes.

The art of Mr. James is so finished, his work so fine, his perception so subtle, and his irony so quietly comprehensive, that of course his work is caviare to the general. People who like their fiction in proportion as it does *not* represent, or naïvely misrepresents, Life; people whose ideas are confined to a "pretty story" and a "happy ending," cannot possibly enjoy a writer whose work is as truly scientific as it is finely literary, is as exact on one side as it is artistic on the other—work that is particularly characterized by its psychologic accuracy, and truth to life as its author sees and perceives life. For in his chosen way and degree Mr. Henry James is quite as marked and thorough a psychologist as was his dis-